To: Tina Laidlaw/MO/R8/USEPA/US@EPA[]
From: "Suplee, Mike"
Sent: Fri 6/1/2012 8:23:29 PM
Subject: RE: Draft TMDL language

Hi Tina;

I came up with the same basic idea on different words (below). I'll study both to see which would work best.

Please call be at my office (444-0831) we need to discuss your suggestion of Factor 3 language…

"An approved TMDL that provides a wastewater treatment facility a zero waste load allocation during the time a base numeric nutrient standard applies, that indicates that the wastewater treatment facility's current level of treatment is sufficient to achieve a base numeric nutrient standard, or that demonstrates that the wastewater treatment facility is an insignificant nutrient load to the receiving waterbody precludes the need for the permittee to receive a nutrient standards variance."

From: Tina Laidlaw [mailto:Laidlaw.Tina@epamail.epa.gov]
Sent: Friday, June 01, 2012 2:21 PM
To: Suplee, Mike
Subject: Draft TMDL language

Mike,

How does this look to you for the TMDL language. We were thinking it could fix in Section 2 of Circular 12 Part B. See what you think. This was wordsmithed by me, Dave Moon and reveiwed by one of our attorneys. Hope it helps.

Tina

The Department must review the general variance treatment requirements every 3 years to assure that the justification for their adoption remains valid. There may be situations where a point source discharge does not need to reduce its load to the degree required by a general variance in order to attain WQS. If an EPA approved TMDL has been completed for the waterbody and the wasteload allocation (WLA) is less stringent than the general variance interim effluent limit concentrations, then the reasonable potential

determination and any necessary WQBELs may be written to the WLA because in that scenario the interim effluent limit is more stringent than necessary to attain the designated use.

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